



WWW.MKCLAWGROUP.COM  
LAW OFFICES OF MICHAEL K. CHONG, LLC

NEW YORK:  
1250 BROADWAY, 36TH FL. STE. 300  
NEW YORK, NEW YORK 10001  
(212) 726-1104  
FAX (212) 726-3104

FORT LEE:  
2 EXECUTIVE DRIVE, STE. 240  
FORT LEE, NEW JERSEY 07024  
(201) 947-5200  
FAX (201) 708-6676

HOBOKEN:  
300 HUDSON STREET, STE. 10  
HOBOKEN, NEW JERSEY 07024  
(201) 708-6675  
FAX (201) 708-6676

*\* Please Reply to: FORT LEE*

EMAIL:  
BSHERR@MKCLAWGROUP.COM

June 17, 2024

*Via ECF*

Hon. Arun Subramanian, United States District Judge  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse

Re: *Kaloshi et al v. West Village Oasis, Inc. et al.*, 22 CV 4593 (AS) (BCM)

Your Honor:

This firm represents the plaintiffs in the above-referenced action. The plaintiffs move for leave to file the attorney time records in support of the motion to dismiss under seal.

Case law recognizes a presumption of public access to motions to dismiss claims under the Fair Labor Standards Act involving judicial approval of a waiver. The plaintiffs' motion is limited to this supporting document because parts of are or refer to privileged attorney work product, including information concerning the plaintiffs' litigation strategies, and the plaintiffs have a continuing interest in protecting this information while a proposed settlement is pending but the case is unresolved.

Because the plaintiffs' calculation of their reasonable attorney's fees greatly exceeds the proposed settlement payment for the plaintiffs' claim for attorney's fees, only very large reductions in the reasonable rates and reasonable time would be consequential to the merits of the settlement. The plaintiffs therefore anticipate the contents of this supporting document will not be significant to a public understanding of the Court's opinion, and that the plaintiffs' concerns about privilege will outweigh the benefit of public access. This is a decision the Court could revisit if circumstances prove different.

I attempted to obtain the defendants' consent with correspondence Wednesday and Friday, but have not had a reply.

I thank the Court for its time and consideration.

Application GRANTED. In order to avoid the disclosure of attorney-client privileged information, the billing records may be filed under seal or sent to chambers by email for *in camera* review.

The Clerk of Court is directed to terminate the motion at ECF No. 116.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brandon Sherr'.

Brandon Sherr

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Arun Subramanian'.

Arun Subramanian, U.S.D.J.  
Date: June 17, 2024